

MEMO ENDORSED

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

Honorable Judge K. M. Karas

v.

U.S. District Judge

Kimberly Spina

Case Number: 18 CR 00625 (KMK)

MOTION FOR EARLY TERMINATION OF SUPERVISED RELEASE

Defendant KIMBERLY A. SPINA respectfully requests that this Honorable Court enter an order terminating her supervision early. In further support, Ms. Spina states as follows:

1. On March 16, 2022, the United States District Court for the Southern District of New York sentenced Ms. Spina for a violation of Health Care Fraud and Conspiracy to Commit Health Care Fraud. The Court imposed a sentence of time served and two (2) years of supervised release.
2. Ms. Spina's supervised release period began on 3/16/2022. She has served one year of supervision without incident. She now requests an early termination as recognized by the Seventh Circuit Court of Appeals in United States v. Lowe, 632-F.3d 96,998 (7th Cir. 2011) ("A district court may grant an early termination of a remaining term of supervised release after one year of supervised release has elapsed and after the court considers certain factors in 18 U.S.C. 3553(a), if the defendant's conduct and the interests of justice so warrant.")
3. The factors set forth in 18 U.S.C 3553(a) support early termination of supervised release in this case. Since her release, Ms. Spina has been an exemplary supervisee. She has maintained steady part time employment doing data entry for Chiropractic Wellness of Middletown, which is located in Middletown, New York. In addition, Ms. Spina has responsibly fulfilled every obligation imposed upon her by the Probation Office. The criminal monetary penalties that were assessed have been paid in full and she has no outstanding financial obligations to the Court. She has sustained no new arrests, cases or convictions.
4. Ms. Spina has complied with all of the conditions of her release and derived all of the benefits she can from her supervision. She has learned

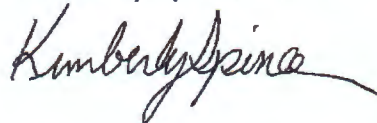
her lesson and, based upon her conduct on supervision thus far, she has demonstrated that the trajectory of her life is toward productive citizenship. There is no further need for her to remain supervised, and to do so would unnecessarily tax the valuable and limited resources of the United States Probation Office.

5. The United States Probation Office, through Officer Andrew Leung, has taken no position to this request for early termination of supervised release, but told Ms. Spina that she could apply.

WHEREFORE, for the foregoing reasons, Ms. Kimberly Spina respectfully asks the Court to grant this motion for early termination of her supervision.

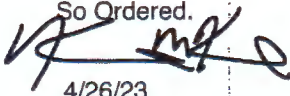
Respectfully submitted,

Kimberly Spina, Pro Se



Application is denied. While Ms. Spina is to be commended for compliance of the supervised release conditions to date, that is expected of all those on supervised release. Nor has Ms. Spina demonstrated any substantial change in circumstances or severe hardships that would warrant early release. Moreover, the Government advises that, contrary to Ms. Spina's representation, the Probation Department does not support her early release just yet. The Court sentenced Ms. Spina to less time on supervised release than what was recommended in the PSR. To further reduce that time under these circumstances would undermine respect for the law.

So Ordered.



4/26/23

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THE HONORABLE JUDGE K. M. KARAS
U.S. DISTRICT JUDGE
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